

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14344 of 2024

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1. Shakuntala Devi, Wife of Sagar Singh, Resident of Gachhi Tola, Ward No. 7, Asurari, Pipra Devas, Barauni, Begusarai, P.S.- Barauni, District- Begusarai, Bihar, PIN-851112.
 2. Vijay Singh @ Vijay Kumar, Son of Sagar Singh, Resident of Gachhi Tola, Ward No. 7, Asurari, Pipra Devas, Barauni, Begusarai, P.S.- Barauni, District- Begusarai, Bihar, PIN-851112.
 3. Sanjay Kumar @ Sanjay Singh, Son of Sagar Singh, Resident of Gachhi Tola, Ward No. 7, Asurari, Pipra Devas, Barauni, Begusarai, P.S.- Barauni, District- Begusarai, Bihar, PIN-851112.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Director General of Police, Jawahar Lal Nehru Marg, Rajbansi Nagar, Patna, Bihar-800001.
3. The District Magistrate, Begusarai, Bihar.
4. The Superintendent of Police, Begusarai, Bihar.
5. The Circle Officer, Barauni, Begusarai.
6. Surendra Singh, S/o Ram Prit Singh, Resident of Gachhi Tola, Ward No. 7, Asurari, Pipra Devas, Barauni, Begusarai, P.S. Barauni, District Begusarai, Bihar, PIN-851112.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Amit Anand, Advocate Mr. Deep Shekhar, Advocate
For the Respondent/s	:	Mr. Madhaw Prasad Yadav, GP- 23 Mr. Sanjay Kumar, AC to GP-23

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 19-09-2024

Hear Mr. Amit Anand, learned Advocate for the petitioners and Mr. Sanjay Kuamr, learned Advocate for the State.

2. The petitioners by invoking the jurisdiction of this Court under Article 226 of the Constitution of India seeking



a direction upon the respondents to provide the required police force in terms of the measurement order for the purpose of demarcating the land and executing the *Tuda Bandi* in Measurement Case No. 1/2023-24, pertaining to land situated in Mauza Asurari, under Thana No. 472, Khata Nos. 609 and 611.

3. Learned Advocate for the petitioners contended that the land, in question, was acquired through a registered sale deed vide sale deed no. 1492 dated 26.02.1996, admeasuring approximately 17.06 decimals of land. Having purchased the land, the petitioner no.1 also got mutation in her favour. At the instance of private respondent, a Land Measurement Case/Record No. 1/2023-24 was initiated and notices have been duly served to all the stake holders, including the petitioners. The Anchal Amin in compliance of Memo No. 380 dated 06.04.2024, submitted a report dated 08.04.2024. The area was marked according to the boundaries. The Circle Officer, Barauni, Begusarai vide his order dated 20.05.2024 promulgated vide Memo No. 170 dated 07.06.2024 informed that measurement was conducted by the concerned Anchal Amin after receipt of the requisite measurement fee and the aforesaid report prepared by the Anchal Amin was submitted for approval and was duly approved. Having completed all the aforementioned



formalities, when no action was taken, the petitioners submitted representation before all the concerned, including the Superintendent of Police, Begusarai as well as District Magistrate, Begusarai for immediate deployment of police force to facilitate the construction work over the land, in question, but in absence of police force assistance the demarcation and execution of *Tuda Bandi* could not have been done, compelling the petitioners to approach before this Court.

4. Learned Advocate for the petitioners contended that since the petitioners have already approached before the concerned respondents, who are competent enough to look into the matter and, in case, there shall be any need of deployment of police force, necessary orders shall be passed.

5. In view of the submissions advanced on behalf of the respective parties and considering the nature of the grievance, the writ petition stands disposed off with a direction to the District Magistrate, Begusarai to look into the application of the petitioners, the copy of which is marked as Annexure-P/5 series (relevant is at page 45 of the writ petition) and pass appropriate order after proper verification of the matter in accordance with law preferably within a period of twelve weeks from the date of receipt/production of a copy of this order.



6. The writ petition stands disposed off.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.09.2024
Transmission Date	NA

